



POLICY AND ADMINISTRATIVE PROCEDURE

Manual of Policies and Procedures

Title

THE USE AND OPERATION OF ADULT OFFENDER ADMINISTRATIVE RESTRICTIVE STATUS HOUSING

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 11-8-2-5(a)(8) IC 11-10-1-7 IC 11-11-6-1	00-02-102 02-01-102 01-01-101 02-01-103 01-02-101 02-01-104 01-03-105 02-01-105 01-04-101 02-01-108 02-01-101 02-04-101	ACA: ACI: 4-4249, 4-4250, 4-4253, 4-4254, 4-4256 thru 4-4271, 4-4273

I. PURPOSE:

The purpose of this policy and administrative procedure is to establish the standards for the use and operation of adult offender administrative restrictive status housing units within the Department of Correction.

II. POLICY STATEMENT:

The Department of Correction shall operate adult offender administrative restrictive status housing units in a manner that ensures:

- A. A clean, healthy, safe, and secure environment for offenders and staff;
- B. Availability of offender programs and services consistent with the safety and/or security of the facility, staff and offenders; and,
- C. Establishment of a system that identifies the review and release process from the unit.

Administrative restrictive status housing units may be operated at the facility level or on a Department-wide basis. The admittance of an offender to an adult administrative restrictive status housing unit shall be based on the:

- Threat an offender's continued presence in the general population poses to life, self, staff, other offenders or property;
- Threat posed by the offender to the orderly operation and security of the facility; and,
- Regulation of an offender's behavior which was not within acceptable limits while in the general offender population.

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The Department shall ensure that an offender's admittance to an administrative restrictive status housing unit is in accordance with Policy 01-04-101, "Adult Offender Classification."

III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented:

- A. **ADMINISTRATIVE ORDER:** An authorization by the Facility Head or designee approving the emergency assignment of an offender to administrative restrictive housing based upon the offender's actions which threaten the safety and/or security of the facility, staff, self or other offenders.
- B. **ADMINISTRATIVE RESTRICTIVE STATUS HOUSING (ARSH):** An assignment designation pursuant to the administrative procedures for Policy 01-04-101, "Adult Offender Classification" which separates an offender who poses a threat to life, self, staff, other offenders, property or facility security.
- C. **BUSINESS DAY:** Monday through Friday, excluding weekends, State holidays, and emergency days declared in writing by the Superintendent.
- D. **DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS (DSM):** The manual published by the American Psychiatric Association that includes all currently recognized mental health disorders. The DSM codes are thus used by mental health professionals to describe the features of a given mental disorder and indicate how the disorder can be distinguished from other, similar problems.
- E. **RESTRICTIVE STATUS HOUSING:** A form of housing for offenders whose continued presence in the general population would pose a serious threat to life, property, self, staff, or other offenders, or to the security or orderly operation of a facility.
- F. **SERIOUSLY MENTALLY ILL:** A mental illness is properly characterized as "serious" based on two features of the diagnosis-one being the duration that the individual has the illness and the second being the degree of disability or functional impairment that it causes. In the context of this case, the term, "seriously mentally ill," includes offenders with a current diagnosis or recent significant history of a DSM Axis I

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diagnosis of: schizophrenia, delusional disorder, major depression, bipolar disorder who are actively suicidal. The term includes offenders who have engaged in recent serious suicide attempt, regardless of diagnosis, who because of their mental illness, have a recent history of hallucinations, or who have organic brain syndrome, mental retardation, or severe anxiety disorder, leading to significant functional impairment or self-harm behaviors, or who have personality disorders manifesting in frequent episodes of psychosis or depression. A psychosis is a break with reality.

- G. **TREATMENT TEAM:** A multidisciplinary team chaired by a qualified mental health professional of administrative staff, restrictive status housing unit staff (custody and case management), mental health professionals, and treatment staff which reviews each offender in the disciplinary restrictive status housing unit at a minimum of every thirty (30) days. The treatment team is responsible to ensure the offenders receive treatment for any mental health or developmental disability issue in accordance with requirements. The treatment team causes the treatment plan to be developed, implemented, and monitored.

IV. ESTABLISHMENT OF AN ADMINISTRATIVE RESTRICTIVE STATUS HOUSING UNIT:

A. Facility Administrative Restrictive Status Housing

Each Facility Head shall determine if the need exists for an administrative restrictive status housing unit at the facility. If the facility determines that an administrative restrictive status housing unit is appropriate for the operation of the facility, the facility shall contact the appropriate Executive Director of Adult Facilities or Executive Director/Inspector General for approval. The Facility Head shall submit to the Executive Director of Adult Facilities the following information:

1. Location within the facility;
2. Staffing;
3. Recreation schedule and facilities;
4. Manner in which Food Services and Health Care Services will be provided;
5. Programs and the manner in which they will be offered; and,
6. Any proposed exceptions to these administrative procedures.

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Upon receipt of the request, the appropriate Executive Director shall review the request and make a recommendation to the Deputy Commissioner of Operations. The Deputy Commissioner of Operations shall submit his/her recommendations to the Commissioner for final approval or denial. Any administrative restrictive status housing unit approved by the Commissioner shall operate in accordance with this policy and administrative procedure, unless a "Request for Exemption from Policy" has been approved.

B. Department-Wide Administrative Restrictive Status Housing

Additionally, the Department may establish one (1) or more Department-wide administrative restrictive status housing units in accordance with this policy and administrative procedure. The Department-wide administrative restrictive status housing unit(s) shall provide a controlled setting for those offenders at a facility who have a history of battery on others or who, in the opinion of Department or facility staff, present an extraordinary threat to themselves or others or who present special safety and security concerns (e.g., seriously injuring staff or offenders, participating in a hostage situation, identified as a security threat group leader, heavily involved in trafficking or having a lengthy history of serious (Class A and/or Class B) disciplinary code violations. The Executive Director of Adult Facilities in consultation with the Deputy Commissioner of Operations shall determine the need for such a unit(s) and make recommendations to the Commissioner for the establishment of a Department-wide administrative restrictive status housing unit.

V. STANDARDS FOR ADMITTANCE TO ADMINISTRATIVE RESTRICTIVE STATUS HOUSING:

A. FACILITY ADMINISTRATIVE RESTRICTIVE STATUS HOUSING

Offenders who have not been charged with a rule violation may be assigned to administrative restrictive status housing based upon an administrative order or a decision in accordance with Policy 01-04-101, "Adult Offender Classification." Assignment of an offender to an administrative restrictive status housing unit shall be based upon the threat to self, others, property, the security and/or orderly operation of the facility presented by the offender's continued presence in the general offender population. Examples of the reasons that may result in an offender's assignment to administrative restrictive status housing include, but are not limited to:

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1. History of assaultive behavior;
2. Active member of a Security Threat Group who poses a threat to the safe and orderly operation of the facility;
3. A high escape risk;
4. The facility's need to contain, prevent or end a disturbance or other threat to the orderly operation of the facility;
5. Pending an investigation, disciplinary hearing, or criminal trial;
6. Pending transfer to another facility;
7. A documented history of behavior that causes staff to believe that the offender's continued presence in the offender general population would be detrimental to the security of the facility or the offender;
8. The offender is the subject of an on-going investigation and the administrative restrictive housing status has been approved in accordance with the Policy 02-04-101, "The Disciplinary Code for Adult Offenders; or,
9. As a temporary assignment for an offender awaiting available general population assignment

Standards for the placement of offenders in an administrative restrictive status housing unit shall be in accordance with Policy and Administrative Procedure 01-04-101, "Adult Offender Classification." However, the Facility Head or Shift Supervisor may order the immediate administrative restrictive status housing of an offender when it is necessary to protect the offender or others.

When an offender is placed in administrative restrictive status housing under an administrative order, the transfer shall be documented on State Form 39588, "RESTRICTIVE STATUS HOUSING REPORT." The Shift Supervisor shall ensure SF 39588 is complete and forwarded to the Superintendent or designee to be reviewed within one (1) business day from the date of the transfer. After review the Superintendent or designee

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shall forward the SF 39588 to the Classification Supervisor for Classification action and documentation in accordance with Policy and Administrative Procedure 01-04-101, "Adult Offender Classification."

B. DEPARTMENT-WIDE ADMINISTRATIVE RESTRICTIVE STATUS HOUSING:

Offenders who, in the opinion of staff, present a special safety or security management concern may be recommended for placement in a Department-wide administrative restrictive status housing unit. Offenders considered for such a placement must meet the following criteria:

1. The criteria for placement in a facility administrative restrictive status housing unit.
 - a. History of assaultive behavior;
 - b. Active member of a Security Threat Group who poses a threat to the safe and orderly operation of the facility;
 - c. A high escape risk;
 - d. The facility's need to contain, prevent, or end a disturbance or other threat to the orderly operation of the facility;
 - e. Pending an investigation, disciplinary hearing or criminal trial;
 - f. A documented history of behavior that causes staff to believe that the offender's continued presence in the offender general population would be detrimental to the security of the facility or the offender; or,
 - g. The offender is the subject of an on-going investigation and the restrictive status housing has been approved in accordance with the administrative procedures for Policy and Administrative Procedure 02-04-101, "The Disciplinary Code for Adult Offenders."
2. Offenders selected for a Department-wide administrative restrictive status housing must have exhibited extraordinary security concerns, such as seriously injuring staff or offenders, participating in a hostage situation, identified security threat group leader, heavily involved in trafficking, or having a lengthy history of serious (Class A and/or B) conduct violations.
3. Standards for the placement of offenders in an administrative restrictive status housing unit shall be in accordance with Policy

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and Administrative Procedure 01-04-101, “Adult Offender Classification,” and this policy and administrative procedure.

4. Offenders being considered for assignment to the Department-wide administrative restrictive status housing unit at the Secure Confinement Unit (SCU) at Wabash Valley Correctional Facility (WVCF) shall be free of a diagnosis of serious mental illness.
5. Offenders being considered for assignment to any other Department-wide administrative restrictive status housing unit may have a diagnosis of serious mental illness and may have Medical Codes of A, B, F, G, or I; and a Disability Code of A or D.

Any exceptions to the above Medical or Disability Codes shall be made on a case-by-case basis.

C. INDIVIDUAL HOUSING UNIT ADMINISTRATIVE RESTRICTIVE STATUS:

Offenders who need to be separated from the general offender population for the safety and security of the facility or the protection of staff, the public or offenders may be placed on individual housing unit administrative restrictive status housing for up to five (5) business days to determine whether they should be placed in an administrative restrictive status housing unit. This status may be used in dormitory settings by using bed or unit restrictions.

The reasons for using individual housing unit administrative restrictive status housing may be the same as indicated for Facility Administrative restrictive status housing, as indicated in Section V. A. Additionally, offenders may be placed on individual housing unit administrative restrictive status housing when the facility’s administrative restrictive status housing unit or disciplinary restrictive status housing unit are at capacity and the offender needs to be separated from the general population until a bed becomes available in a restrictive status housing unit. Also, part of, or an entire unit, may be placed on individual housing unit administrative restrictive status housing during an emergency situation, such as a facility lockdown.

When an offender is placed in individual housing unit administrative restrictive status housing under an administrative order, the transfer shall be documented on State Form 39588, “RESTRICTIVE STATUS

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HOUSING REPORT.” The Shift Supervisor shall ensure SF 39588 is complete and forwarded to the Superintendent or designee to be reviewed within one (1) business day from the date of the transfer. After review the Superintendent or designee shall forward the SF 39588 to the Classification Supervisor for Classification action and documentation in accordance with Policy and Administrative Procedure 01-04-101, “Adult Offender Classification.”

Following the assignment of an offender to individual housing unit administrative restrictive status, the offender shall be reviewed by the Unit Team Manager at least every 48 hours to ensure that the need for administrative restrictive status housing continues to exist. The Unit Team Manager shall submit a report of the review to the Facility Head or designee for continued approval of individual housing unit administrative restrictive status housing.

The conditions of offenders placed on individual housing unit administrative restrictive status shall be the same as those offenders placed in facility administrative restrictive housing as indicated in Procedure IX.

Offenders shall be released from individual housing unit administrative restrictive status housing as soon as possible, but in no case shall an offender be retained in individual housing unit administrative restrictive status housing longer than five (5) business days, except in emergency situations, without the written authorization of the Facility Head. The Facility Head may extend the individual housing unit administrative restrictive status for two (2) additional periods of five (5) working days, for a total of 15 business days in this status. Offenders may be released back into the offender general population or moved to an administrative or disciplinary restrictive status housing unit, as appropriate.

VI. ADMISSION TO AN ADMINISTRATIVE RESTRICTIVE STATUS HOUSING UNIT:

A. FACILITY ADMINISTRATIVE RESTRICTIVE STATUS HOUSING

1. Admission of an offender to an administrative restrictive status housing unit shall be documented in the unit log. The following information shall be recorded on the unit log:
 - a. Offender's name;
 - b. Identification number;

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- c. Date and time admitted;
 - d. Reason for admission;
 - e. Tentative release date, if such a date is given;
 - f. Special medical/psychiatric problems/needs; and,
 - g. Any other information pertinent to the admission.
2. Restrictive status housing prior to a determination of guilt or innocence must be approved in writing by the Shift Supervisor or higher authority. State Form 39588, "RESTRICTIVE STATUS HOUSING REPORT," shall be used for this purpose. A copy of State Form 39588 is to be given to the offender within 24 hours of restrictive status housing. The State Form 39588 shall be reviewed by the Facility Head or designee within 72 hours, including weekends and holidays. After the Facility Head/designee's review, State Form 39588 shall be forwarded to the Classification Supervisor for documentation in accordance with Policy and Administrative Procedure 01-04-101, "Adult Offender Classification."
3. State Form 21255, "OFFENDER RESTRICTIVE STATUS RECORD," shall be prepared for each offender. This record shall completely document all routine activities of the offender. State Form 21255 shall be maintained by staff assigned to the unit and secured in a controlled area of the administrative restrictive status housing unit. When an offender is released from the unit, this form(s) shall be filed in the offender's facility packet.
4. All non-routine unit activities in which an offender participates shall be recorded on the unit log. The unit logs shall be maintained in accordance with an approved records retention schedule.
5. Upon admission to an administrative restrictive status housing unit, the offender's property shall be inventoried. All items shall be listed and the disposition of the offender's property recorded on State Form 40093, "RESTRICTIVE STATUS HOUSING UNIT INVENTORY LIST - PERSONAL PROPERTY."
6. Immediately upon an offender's admission to administrative restrictive status housing, staff shall notify the facility's Health Care Services staff. This notification shall be documented in the unit log. Upon notification, a qualified health care professional shall review the offender's medical record to note any areas of

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concern. The qualified health care professional shall document this review in the offender's medical record.

7. Within twenty-four (24) hours of admission, an offender admitted to an administrative restrictive status housing unit shall be assessed for suicide risk and current mental status by a mental health-trained nurse. This assessment shall be documented in the offender's medical record.

B. DEPARTMENT-WIDE ADMINISTRATIVE RESTRICTIVE STATUS HOUSING

1. Offenders considered for placement in a Department-wide administrative restrictive status housing unit shall be provided a classification hearing to determine the appropriateness of placement in a Department-wide administrative restrictive status housing unit. During the classification hearing, staff shall adhere to the criteria for placement in a Department-wide administrative restrictive status housing unit as found in APPENDIX XVI-C of Policy and Administrative Procedure 01-04-101.
2. If the offender appears appropriate for transfer to a Department-wide administrative restrictive status housing unit, a qualified mental health professional (i.e., licensed psychologist or psychiatrist) shall evaluate the offender prior to recommending the transfer to the Facility Head.
 - a. During this evaluation, the qualified mental health professional shall determine whether the offender has a current diagnosis of being seriously mentally ill or otherwise meets the conditions indicated in Procedure V. B above. The qualified mental health professional shall use State Form 53491, "REQUEST FOR MENTAL STATUS REPORT FOR OFFENDER RECOMMENDED FOR PLACEMENT IN A SECURE CONFINEMENT UNIT", to record the findings of this evaluation.
 - b. The qualified mental health professional shall determine whether there are any other mental health conditions that may be negatively impacted by the offender's assignment to Department-wide administrative restrictive status housing.

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- c. The qualified mental health professional shall prepare a written evaluation of the offender using State Form 53491 and, if the offender is approved for transfer to the Secure Confinement Unit (SCU) at the Wabash Valley Correctional Facility (WVCF), or the Westville Control Unit, shall send a copy to the receiving administrative restrictive housing unit.
3. If the results of the evaluation indicate that the offender is seriously mentally ill, consideration shall be given to transferring the offender to the Crisis Stabilization Unit (CSU) at the New Castle Correctional Facility or another suitable facility where the offender can receive needed mental health treatment. An offender who has a current diagnosis of serious mental illness shall not be transferred to the SCU at WVCF.
4. Offenders identified by qualified mental health professionals as needing other levels of mental health treatment shall not be placed in facilities that:
 - a. Will exacerbate their serious mental illness; or,
 - b. Cannot meet their mental health needs.

Determination of mental health needs shall be made by qualified mental health staff. However, there may be offenders who, although not acutely mentally ill and therefore not appropriate for placement at the CSU, will have their serious mental illnesses exacerbated by any incarceration, regardless of the particular placement. In such a situation the offender shall be placed where qualified mental health staff can meet his/her mental health needs appropriately. A written record shall be made and maintained as to the decision of the mental health staff and the reasons for that decision.

5. If the qualified mental health professional determines that the offender is capable of placement in a Department-wide administrative restrictive status housing unit at Wabash Valley, or Westville, the following procedure is to be applied:
 - a. The qualified mental health professional shall submit a written evaluation to the Supervisor of Classification who

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shall present a recommendation, along with the evaluation report, to the Facility Head indicating that the offender may be considered for transfer.

- b. If the Facility Head approves the recommendation, the Facility Head shall prepare a written request and submit it to the appropriate Executive Director. The written request will include the following:
 - (1) A new CLASSIFICATION DESIGNATION INSTRUMENT;
 - (2) A State Form 44355, "INTER-FACILITY TRANSFER REPORT," to include a summary of the offender's behavior which initiated the transfer request;
 - (3) A State Form 3412, "CLASSIFICATION HEARING REPORT, completed in accordance with the Adult Classification Policy; and,
 - (4) A copy of the evaluation (State Form 53491, "REQUEST FOR MENTAL HEALTH STATUS REPORT FOR OFFENDER RECOMMENDED FOR PLACEMENT IN A RESTRICTIVE STATUS HOUSING UNIT") prepared by the qualified doctoral level mental health professional indicating that the offender is not seriously mentally ill.
6. Following review of the information submitted by the Facility Head, the Executive Director of Adult Facilities shall consult with the Deputy Commissioner of Operations, the Executive Director/Inspector General, and the Executive Director of Classification to determine what Department-wide unit would be most appropriate.
7. The appropriate Executive Director shall advise the Facility Head of the decision. If the decision is to place the offender in a Department-wide administrative restrictive status housing unit, the appropriate Executive Director shall work with the Executive

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Director of Classification to ensure that the transfer is processed in a timely manner.

- C. Upon admission to an administrative restrictive status housing unit, the offender shall be advised that this action is considered a housing re-assignment in accordance with Policy and Administrative Procedure 01-04-101 and that the offender may appeal the decision to assign him/her in accordance with Policy and Administrative Procedure 01-04-101.

VII. REVIEW OF OFFENDER'S ADMINISTRATIVE RESTRICTIVE STATUS HOUSING STATUS:

A. FACILITY ADMINISTRATIVE RESTRICTIVE STATUS HOUSING

The need for and appropriateness of continued administrative restrictive status housing shall be reviewed by the Classification Committee or Treatment Team at least every seven (7) days for the first two (2) months that an offender is in administrative restrictive status housing. After the first two (2) months, this review shall be conducted at least every 30 days. It shall not be necessary to hold a formal Classification Committee Hearing in order to complete this review. However, if the offender requests a reclassification from administrative restrictive status housing, the 30 days review may be combined with a full Classification Committee Hearing, or combined with a Treatment Team review.

Offenders who are placed in administrative restrictive status housing by means of an administrative order shall have their assignment reviewed within one (1) business day of the placement in administrative restrictive status housing. The Facility Head or designee shall conduct this review and shall prepare a written report indicating the outcome of this review. If the decision is to continue the offender in administrative restrictive status housing, the facility shall conduct a Classification Committee Hearing within 72 hours in accordance with Policy and Administrative Procedure 01-04-101, "Adult Offender Classification."

During the review of an offender, staff may determine that the offender should be considered for placement in a Department-wide administrative restrictive status housing unit. Staff shall prepare a written report to the Facility Head detailing the reasons that the offender should be considered for placement in a Department-wide unit. During the time that the offender is under consideration, the facility shall continue to conduct the reviews as indicated previously.

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B. DEPARTMENT-WIDE ADMINISTRATIVE RESTRICTIVE STATUS HOUSING

1. Upon transfer to a Department-wide administrative restrictive status housing unit, the offender shall be provided the same reviews as indicated for offenders admitted to a facility administrative restrictive status housing unit. Copies of all reviews shall be forwarded to the appropriate Executive Director review and approval.
2. In addition to the other reviews provided to the offenders, upon arrival the following procedures shall be implemented:
 - a. Within seventy-two (72) hours after arrival at a Department-wide administrative restrictive status housing unit, the offender shall receive a face-to-face screening by a qualified mental health professional that shall review the offender's mental health records and make a written record as to the results of the screening.
 - b. If it is determined by this screening that an offender housed in Department-wide administrative restrictive status housing has a serious mental illness diagnosis, is receiving treatment for such a disorder, or has been diagnosed with a mental disorder that is worsened by confinement in a Department-wide administrative restrictive status housing unit, the offender shall be reviewed by the Treatment Team for determination of an appropriate facility that can provide the needed mental health treatment.
 - c. If the offender remains in Department-wide administrative restrictive status housing for more than thirty (30) days, ten (10) hours of out-of-cell structured mental health treatment per week, not including shower and recreation time, shall be provided. Further treatment requirements shall be determined by the Treatment Team.
3. All offenders assigned to a Department-wide administrative restrictive status housing unit shall receive a mental health review at least weekly by a qualified mental health professional (e.g., psychologist, mental health counselor, etc.) which shall take place

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in an appropriate setting where an accurate evaluation of the offender's mental health status can occur. The appropriate setting shall be determined by the mental health professional.

4. At least every 30 days, each offender in the administrative restrictive status housing unit shall receive a review by a qualified level mental health professional in a setting that provides audio privacy from other offenders and staff.
5. In addition to the weekly and every 30-day review, if staff believes that the offender's mental health is deteriorating staff may request additional reviews on an as-needed basis and shall report all observations to the mental health staff.

VIII. RELEASE FROM ADMINISTRATIVE RESTRICTIVE STATUS HOUSING (See Operational Procedure):

A. FACILITY ADMINISTRATIVE RESTRICTIVE STATUS HOUSING

An offender shall be released from a facility administrative restrictive status housing unit whenever the Facility Head or designee determines that restrictive status housing is no longer necessary or when such a release is in the best interests of the facility and the offender, such as to allow for participation in Re-Entry programming. In reviewing the need for the offender's continued assignment to administrative restrictive status housing, staff shall review the offender's Case Plan, treatment plan, and other pertinent documentation. Releases from administrative restrictive status housing shall be in accordance with Policy and Administrative Procedure 01-04-101, "Adult Offender Classification."

If, as a result of a mental health evaluation, qualified mental health staff diagnose the offender with a mental health crisis, the offender shall be recommended for transfer, including an alternate recommendation, within 72 hours of the diagnosis to an appropriate facility where he/she can obtain needed mental health treatment, unless a psychiatrist/physician determines after a face-to-face evaluation that the offender cannot be safely moved for mental health reason. In such a case, the offender shall be moved to the appropriate facility as soon as the psychiatrist determines that it is medically safe to move the offender.

An offender released from facility administrative restrictive status housing may be returned to the general population of the facility and given a work

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assignment if the offender meets the facility's eligibility criteria for a work assignment. If the offender does not meet the facility's eligibility criteria for placement in a work assignment, the offender may be assigned to an idle offender housing unit until the offender meets the work assignment eligibility criteria.

Facility operational procedures shall ensure that an offender released from an administrative restrictive status housing unit to an idle offender housing unit is given written documentation of this assignment, including the reason(s) for the assignment and the facility's eligibility criteria for a work assignment.

B. DEPARTMENT-WIDE ADMINISTRATIVE RESTRICTIVE STATUS HOUSING

1. Release Due to Program Completion

- a. An offender who has been assigned to a Department-wide administrative restrictive status housing unit shall be released only with the approval of the Treatment Team, the Executive Director of Adult Facilities, the Deputy Commissioner of Operations, or the Commissioner
- b. If staff at the Department-wide administrative restrictive status housing unit believes that an offender is ready for release, staff shall prepare a written recommendation for the offender's release.
- c. Prior to submitting a recommendation to release an offender from Department-wide administrative restrictive status housing, unit staff shall review the offender's Case Plan or Treatment Plan, and other pertinent documentation to determine the need for continued restrictive status housing.
- d. This recommendation shall be forwarded to the Facility Head for review.
- e. If the Facility Head agrees with the recommendation, the Facility Head shall forward the recommendation (Report of Classification Hearing, Classification Designation, Transfer Report, Release Form and the written request) to the

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Executive Director of Adult Facilities for review and approval.

- f. The appropriate Executive Director shall consult with the Deputy Commissioner of Operations and the Executive Director of Classification to render a final decision and determine to which facility the offender will be transferred.
- g. Offenders released from a Department-wide administrative restrictive status housing unit shall only be released to a facility administrative restrictive status housing unit and not to the general offender population.

2. Mental Health Release

- a. If, as a result of a mental health evaluation, qualified mental health staff diagnose the offender with a serious mental illness, the offender shall be recommended for transfer, including an alternate recommendation, within 72 hours of the diagnosis to an appropriate facility where he/she can obtain needed mental health treatment, unless a psychiatrist/physician determines after a face-to-face evaluation that the offender cannot be safely moved for mental health reason. In such a case, the offender shall be moved to the appropriate facility as soon as the psychiatrist/physician determines that it is medically safe to move the offender.
- b. Upon transfer of a seriously mentally ill offender, the appropriate Executive Director, with input from qualified mental health staff, shall determine whether the offender's administrative restrictive status housing status should be suspended or modified due to the offender's serious mental illness.
 - (1) The Treatment Team lead mental health professional shall report the transfer to the appropriate Executive Director and provide documentation of the mental health diagnosis and status of the offender as of the time of transfer, together with any other information that the Treatment Team believes to be relevant to a

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determination under this part of this policy and administrative procedure.

- (2) The appropriate Executive Director of Adult Facilities, in consultation with the Executive Director of Classification, shall make a written record of the decision and the reason(s) for the decision and shall ensure that a copy of this written record is filed in the offender's facility and Central Office packets.
- (3) The appropriate Executive Director shall ensure that a copy of this decision is provided to the Facility Head of the facility housing the offender and that the Facility Head advises appropriate staff of the decision.
- (4) Unit staff shall ensure that the offender is notified of the decision and shall explain the consequences of the decision to the offender.

Operational procedures shall be prepared to ensure that the release of offenders from administrative restrictive status housing is in compliance with this policy.

IX. CONDITIONS OF THE ADMINISTRATIVE RESTRICTIVE STATUS HOUSING UNIT (See Operational Procedure):

Facility and Department-wide administrative restrictive status housing unit staff shall ensure that certain rights and privileges are provided to offenders housed in the administrative restrictive status housing unit(s).

The following conditions shall be met in all facility and Department-wide administrative restrictive status housing units:

- A. Offenders shall be notified when an opposite gender individual is in the unit. Staff shall announce the presence of the opposite gender individual in the unit, and shall log the presence and announcement.
- B. Offenders shall be afforded the same type of clothing items as the general population consistent with Policy and Administrative Procedure 02-01-101, "Offender Personal Property." The amount and type of clothing permitted may be reduced and/or substituted; however, the facility shall ensure that the offender is provided with sufficient clothing to afford at

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least one (1) clean set of clothing while other clothing is laundered. Operational procedures shall specify the amount and type of clothing that an offender may possess while in administrative restrictive status housing.

- C. The facility shall determine the limits on possession of personal property in administrative restrictive status housing. The facility may limit the amount and type of property. Such limitations shall not be based upon punitive action; but, shall be based upon the space limitations of the restrictive status housing unit and the safety and security of the facility. Offenders shall be permitted to maintain in their living area materials required for any programming they are participating in based upon needs indicated in their Case Plan. Religious property may be restricted per Policy and Administrative Procedure 02-01-101 if the property is determined to be a specific safety and security risk to the facility. The Director of Religious Services and Community Involvement shall be consulted for other religious restrictions. Operational procedures shall specify the type and amount of property that shall be permitted.
- D. Each offender is to receive the same meal provided the general population. Based on the security needs of the unit, substitutes may be permitted. Substitute food items shall be recorded on the unit log. Prescribed medical diets and approved religious/personal preference diets shall be provided in accordance with Policy and Administrative Procedure 04-01-301, "The Development and Delivery of Foodservices."
- E. Each offender shall retain mail service privileges as presented in Policy and Administrative Procedure 02-01-103, "Offender Correspondence." The amount of correspondence that an offender may possess, at any one time, may be limited, in accordance with the facility's operational procedures for Policy 02-01-101, "Offender Personal Property."
- F. Each offender shall retain visitation privileges as presented in Policy and Administrative Procedure 02-01-102, "Offender Visitation." A facility may reduce the frequency of visits that an offender may have; however, at a minimum, an offender shall be allowed two (2) visits per month. Consideration shall be extended for additional visiting privileges to aid in the offender's Case Plan. A facility may establish a separate visiting area for administrative restrictive status housing offenders and may impose non-contact visitation. If the visitation schedule and rules for offenders in administrative restrictive status housing is different from that of offenders in the general offender population, the offender shall be advised of the

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visitation schedule and rules and instructed to advise any potential visitors of these issues.

Operational procedures shall be developed which establish the manner and method of visitation.

- G. Offenders shall be allowed telephone privileges in accordance with Policy and Administrative Procedure 02-01-105, "Telephone Privileges." The frequency and duration of the telephone calls may be limited. Generally, offenders in administrative restrictive housing shall be permitted to make at least one (1) telephone call per week, unless the offender abuses this privilege. Additional telephone calls may be permitted in accordance with the offender's Case Plan. Operational procedures shall specify the number and duration of telephone calls that an offender may make.
- H. Each offender shall retain the right of access to legal materials in accordance with Policy and Administrative Procedure 00-01-102, "Offender Access to the Courts." Each facility shall develop operational procedures to establish the manner and method to ensure this access. An offender's access to legal reference material may be in hard copy or electronic format. If the material is in an electronic format, the facility shall ensure that the offender is instructed how to access and use the material. The facility may limit the amount of legal material that an offender may possess in the living area. This limit shall be based upon the amount of space available to the offender and the safety of the facility. Excess legal materials may be stored in the facility's property room or other suitable secure location. If the facility stores an offender's excess legal materials, it shall ensure that the offender may have access to these materials within two (2) business days of the offender's request.
- I. Each offender shall be offered the opportunity to participate in physical recreation outside of the immediate living area (cell). Offenders shall be offered a minimum of one (1) hour of recreation five (5) days per week, unless safety or security considerations dictate otherwise. Based upon the security needs of the facility and the weather conditions this recreation may be held outdoors or indoors. Group recreation activities, and increased out-of-cell time for offender diagnosed with a serious mental illness, may be considered based upon the past behavior of the offenders and the safety and security of the facility.

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- J. Each offender shall be offered a sufficient period of time at least three (3) times per week to shower and shave. This time shall not be counted against any other out-of-cell activity time (e.g. recreation).
- K. Each offender shall be offered general personal services at the same frequency provided to other offenders. General personal services shall include, but are not limited to: clothing exchange, bedding and linen exchange and barbering. Clothing, bedding and linens shall be laundered minimally one (1) time per week.
- L. Each offender shall be allowed access to the facility commissary. The facility may provide a reduced commissary list for offenders in administrative restrictive status housing; however, offenders shall have access to over-the-counter medications and personal hygiene items. The development of a reduced commissary list shall be in accordance with Policy and Administrative Procedure 02-01-108, "The Establishment and Operation of Commissaries." If a reduced commissary list is developed, a copy of it shall be attached to the operational procedures for this policy and the Policy 02-01-108.
- M. Each offender shall have reasonable access to reading materials. The facility library shall provide access to reading materials. These services may be provided via a book-cart or other method. Offenders may possess a limited number of personally-owned soft-cover books, magazines and newspapers. Operational procedures shall be developed to ensure access to reading materials and shall establish any limits on the amount of personally-owned reading materials that an offender may possess.
- N. Programs and services shall be provided to offenders either in the living areas (cells) or on the unit, in accordance with the security needs of the facility. Programs and services may be provided via multi-media presentations, self-study programs or other programming which does not impair the safety and security of the unit. Programs and services shall include, but are not limited to: counseling (individual and group), academic education, health care services, substance abuse, religious guidance, commissary, Re-Entry, library and recreational programs.
- O. The facility Chaplain shall visit the unit weekly to walk each range to review the religious needs of offenders. Operational procedures shall be developed in accordance with the provisions of Policy and Administrative Procedure 01-03-101, "The Development and Delivery of Religious

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Services,” to ensure that the religious needs of the offenders on the unit are addressed.

- P. Sick call procedures shall be developed requiring medical personnel to evaluate offenders for illness or injury as requested by staff or offenders. Licensed nursing staff shall visit the administrative restrictive status housing unit daily and check on all offenders in the restrictive status housing unit. A record shall be made in the unit log that the Health Care staff visited the unit and met with offenders. An announcement to the offenders that health care staff persons are on the unit shall be recorded in the unit log. A record does not have to be made in the offender’s health care record unless health care services are provided to an offender. Prescribed medications shall be dispersed only by medical personnel. Offenders in administrative restrictive status housing may be permitted to possess “may carry” medications in accordance with applicable Health Care Services Directives.

No oral medication (prescribed or over-the-counter), except nitroglycerin and inhalers, shall be distributed as keep-on-person (KOP) to the following categories of offenders:

- a. Offenders assigned to the B, C, or D Mental Health Status Code classification;
- b. Offenders prescribed psychotropic medication; or,
- c. Offenders with a previous suicide attempt.

Operational procedures shall ensure that offenders in administrative restrictive status housing have adequate access to Health Care Services and shall specify the procedure that offenders may use to obtain this access.

- Q. Each offender shall have access to the grievance process in accordance with Policy 00-02-301, "The Offender Grievance Process."
- R. Each offender shall be placed in a “no pay” status in accordance with Policy and Administrative Procedure 02-01-106, “Offender Assignments and Pay Schedules,” unless the offender is given a work assignment.
- S. Facilities that operate multiple administrative restrictive status housing units shall ensure that all administrative restrictive status housing units are operated in the same manner and that all conditions as indicated in this procedure are the same.

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X. OBSERVATION OF OFFENDERS:

The facility shall ensure that each offender is observed personally by a Correctional Officer assigned to the unit at least every 30 minutes on an irregular schedule. Those offenders appearing to be violent, mentally disturbed or demonstrating unusual or bizarre behavior shall receive more frequent observation. Any offender who appears to be exhibiting suicidal ideation shall be maintained under constant observation until a qualified mental health professional examines the offender and provides further instruction as needed.

Any offender who remains in administrative restrictive status housing for more than 30 days shall be personally interviewed by a qualified mental health professional. The qualified mental health professional shall prepare a report indicating the results of this interview. If the restrictive status housing continues beyond 30 days, a mental health assessment by a qualified mental health professional shall be made at least every three (3) months or more frequently as prescribed by the facility medical Director.

XI. STAFF ASSIGNMENTS:

Staff persons assigned to the unit who work routinely with offenders on a daily basis shall be reviewed, reassigned, or rotated periodically in accordance with this policy and administrative procedure. Such assignments, reassignments, and/or rotations shall be made in the best interests of the staff person, facility operations, and security. The decision to deviate from this policy and administrative procedure shall be made by the Superintendent, Assistant Superintendents, Custody Supervisor, and/or Unit Team Manager in consultation with the appropriate Executive Director of Adult Facilities or Executive Director/Inspector General. Such decisions shall be based solely on operational and security needs.

Before being assigned to an administrative restrictive status housing unit, staff members must have at least six (6) months of departmental experience with satisfactory work performance.

Staff shall be given on-the-job training in accordance with Policy 01-05-101, "Staff Development and Training."

A staff person, custody and non-custody, assigned to an administrative restrictive status housing unit who has routine contact with offenders shall be reviewed once every six (6) months, to determine whether the staff person is experiencing job burn-out or other job-related problems. The staff person's immediate supervisor

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shall complete this review. This review shall be documented completely on State Form 51852, "RESTRICTIVE STATUS HOUSING UNIT STAFF REVIEW." SF 51852 shall be forwarded to the Shift Supervisor, if the staff person being reviewed is a member of Custody staff. For a review of a non-custody staff person, SF 51852 shall be forwarded to the Unit Team Manager. The Assistant Superintendent of Operations, the Assistant Superintendent of Re-Entry, the Unit Team Manager, and the Custody Supervisor shall review all staff evaluations to determine what actions, if any, are necessary to ensure the proper level of unit security is maintained. The results of the review may include placing the staff person on a work improvement plan, reassignment, or other action necessary to correct the situation and maintain security. The completed SF 51852 shall be filed in the staff person's fact file and personnel packet.

XII. DAILY INSPECTIONS:

The highest ranking custody supervisor on duty in the facility shall inspect the restrictive status housing unit daily to ensure safe, clean and efficient operation. The inspection shall be documented in writing and shall be noted in the unit log book and the visitor's log for the unit. The staff person shall:

- A. Examine the general cleanliness of the unit;
- B. Ensure that personal hygiene opportunities are available;
- C. Review unit records for completeness, including shaving razors, tool, and key control; and,
- D. Examine all areas of the unit to ensure the rights and privileges as presented in this policy are provided and to ensure the general operation of the unit is in accordance with the facility's operational procedures.

The highest ranking custody supervisor conducting this inspection shall provide a written report to the Assistant Facility Head of Operations indicating all deficiencies found and the steps that are taken to correct them. The Assistant Facility Head shall advise the Facility Head of any deficiencies in the unit that cannot be corrected in a timely manner. The Facility Head shall take the appropriate action to correct these deficiencies.

The highest ranking custody supervisor shall make him/her-self available to offenders housed in the administrative restrictive status housing unit on a daily basis. This staff person shall address any concerns presented by the offenders on the unit and ensure that all proper procedures are followed.

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XIII. EMERGENCY RESTRICTIONS:

A need may arise to restrict an offender from one or more of the previously addressed activities itemized in these procedures due to the offender's behavior or abuse of a particular activity indicated in these procedures that threatens the safety and/or security of the facility, staff or other offenders. In those cases where an offender is deprived of any activities normally offered, State Form 16050, ADULT RESTRICTIVE STATUS HOUSING RESTRICTION REPORT, shall be completed. This report shall be forwarded to the shift supervisor for review, approval, signature, and appropriate distribution and a copy filed in the offender's packet.

When the Facility Head determines that an emergency situation exists as provided in Policy and Administrative Procedure 02-03-102, "Emergency Response Operations," any activities extended under these procedures may be suspended. In such cases, it shall not be necessary to advise each offender that these procedures have been suspended. When the emergency situation no longer exists, activities shall resume.

XIV. MAINTENANCE OF PERMANENT LOGS:

Each restrictive status housing unit shall maintain a permanent unit log. This log shall be used to record any activities as indicated in this policy. Staff shall ensure that all entries into the unit log are made in a timely manner and are legible. The unit log shall be maintained in a safe and secure location in the unit where the offenders will not have access.

Anyone not assigned to work on the administrative restrictive status housing unit who enters the unit, except in emergency situations, shall sign a permanent unit visitor's log, including name, date and time. There are to be no exceptions to this procedure. State Form 37621, RESTRICTIVE STATUS HOUSING UNIT VISITOR'S LOG," shall be used for this purpose. Unit staff shall ensure that the State Form 37621 includes the name of the unit.

In an emergency situation (such as when the emergency squad is activated), the staff person in charge of the unit shall obtain the names of all persons who enter the unit and record the names and titles of these persons in the visitation log. It will not be necessary for each person entering the unit to sign the log during an emergency situation.

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XV. APPLICABILITY:

This policy and administrative procedure shall be applicable to all facilities housing adult offenders that maintain an administrative restrictive status housing unit and/or a Department-wide administrative restrictive status housing unit.

signature on file

Bruce Lemmon
Commissioner

Date